

AUG 18 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VICTOR MANUEL VELAZQUEZ; et al.,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 08-71046

Agency Nos. A95-179-372

A95-179-373

A95-179-374

A95-179-375

A95-179-376

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted August 11, 2008 **

Before: CANBY, LEAVY and KLEINFELD, Circuit Judges.

This is a petition for review of the Board of Immigration Appeals' ("BIA")
order denying petitioners' second motion to reopen.

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

The motion to proceed in forma pauperis is granted. The Clerk shall amend the docket to reflect this status.

The regulations provide that, with certain exceptions not relevant to this petition, “a party may file only one motion to reopen.” *See* 8 U.S.C.

§ 1229a(c)(7)(A); 8 C.F.R. § 1003.2(c)(2), (c)(3). The BIA did not abuse its discretion in denying petitioners’ second motion to reopen as numerically barred. *See Iturribarria v. INS*, 321 F.3d 889, 894 (9th Cir. 2003).

Accordingly, respondent’s unopposed motion for summary disposition is granted because the questions raised by this petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

All other pending motions are denied as moot.

PETITION FOR REVIEW DENIED.